IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 22321 of 2007(G)

PETITIONER:

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1. SUBAIR,
S/O. MOHAMMED, AGED 41 YEARS,
ULLATTIL HOUSE, PERINTHALLOOR, B.P. ANGADI,
TIRUR.

2. SAJEER A.P.
S/O. ABOOBACKER A.P., AGED 27 YEARS,
'AREEPPARAMBU', PURATHUR, TIRUR,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.FIROZ

RESPONDENTS:

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1. THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNEMNT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT.

3. THE DISTIRCT COLLECTOR,
MALAPPURAM.

4. THE CIRCLE INSPECTOR OF POLICE/STATION HOUSE OFFICER,
TIRUR POLICE STATION, TIRUR, MALAPPURAM.

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19 /07/2007 , ALONG WITH W.P.(C)NO.22322/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.22321,22322 OF 2001

DATED THIS THE 19th DAY OF JULY, 2007

JUDGMENT

In these two writ petitions, the petitioners' vehicles were seized on allegations of illegal transportation of river sand in violation of Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. The petitioners submit that final orders have not yet been passed. Therefore, the petitioners seek interim custody of the vehicles.

2. I have heard the learned Government pleader also. In the facts and circumstances of the case, there would be a direction to the 3rd respondent to pass final orders in the matter expeditiously. Pending passing of final orders, the vehicles shall be released to the petitioners on their paying an amount of Rs.25,000/- each and producing proof of ownership of the vehicles. This is subject to further condition that the petitioners shall not alienate or otherwise part with possession of the vehicles, till final orders are passed by the 3rd respondent.

The writ petitions are disposed of as above.

S. SIRI JAGAN, JUDGE

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